

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration of this application in view of the following remarks.

PRELIMINARY COMMENTS

Aggregator v. Provider

Applicant submits that the Examiner is still confusing “aggregator” with “provider”.

Applicant earlier submitted a dictionary definition to show that the distinction was well known long ago as it is today. The Examiner in essence stated that a more recent definition as of the time of the invention was needed. Applicant submits herewith “current” definitions which still distinguishes between an aggregator and provider.

AGGREGATOR IS NOT THE SAME AS PROVIDER.

Firstly

A provider not an aggregator. For example, AOL® is a provider of services. More specifically, AOL® is a provider of Internet services i.e. an ISP (Internet Service Provider). AOL® is not a service aggregator.

Secondly

Applicant has gone into great detail in the specification as to the distinction between aggregator and provider, providing examples, etc. They are not the same.

Thirdly

The distinction between aggregator and provider is well known. Attached are “current” definitions for “**provider**” and “**aggregator**”. (Exhibit A, and Exhibit B respectively.) **Aggregator is not the same as provider.**

Applicant submits that the Office is improperly equating “aggregator” with “provider” without any rationale or reason.

Examiner has failed to perform a substantive Examination

Applicant previously requested substantive examination of claims not addressed by the Examiner. In response the Examiner states in essence “clearly” one can see how the neglected claims are like the others. Applicant submits that this is NOT the standard for examination and that the claims are distinguishable from each other, the Applicant has paid for the examination, and Applicant expects such.

Such inaction on the part of the Examiner does not advance the prosecution and is non-responsive to Applicant’s request for examination and relief as previously noted.

Applicant hereby incorporates the previous requests herein as if stated fully herein.

Should the Examiner fail to provide an adequate legally reasoned response to each of Applicant’s claims as to why the relieve requested should not be granted, then this paper

is to be treated as a petition to the Commissioner under 37 C.F.R. § 1.183 to suspend or waive such requirements of the regulations as justice requires to preserve Applicant's rights and prevent any unnecessary extinguishment of Applicant's rights.

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Claims 1, 2, 4, 6 - 9, 13 - 17 and 19 - 28 Rejection under 35 U.S.C. 103(a) - Anderson

Claim 1 Rejection under 35 U.S.C. § 103(a) – Anderson in view of OOOSITAATTIWM

Neither Anderson nor OOOSITAATTIWM (one of ordinary skill in the art at the time the invention was made), either taken alone or in combination, teaches or suggests a method of managing a relationship between a device and a service provider comprising “receiving at a service aggregator a first information from the device, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first information; and transmitting a second information from the service aggregator to the device directing the device to communicate with the specific service provider, the second information being based on the first information received from the device, wherein the first information is sent automatically from the device to the service aggregator” as Applicant has claimed because Anderson clearly shows user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 1 and all claims dependent on claim 1.

With respect to claim 2, as particularly crafted by Applicant – First, as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of

OOOSITAATTIWM fails to teach or suggest “the service aggregator communicating information about the device to the specific service provider” as Applicant has claimed because Anderson sends information to the device (Fig. 4B at 124) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 2.

With respect to claim 4, as particularly crafted by Applicant – First, as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “the service aggregator communicating user options to the device” as Applicant has claimed because Anderson connects to a default ISP (Fig. 4A at 118) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 4.

With respect to claim 6, as particularly crafted by Applicant – First, as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “the first information from the device is input by a user” as Applicant has claimed because Anderson clearly shows after user intervention sending to default ISP (col 10, lines 18-20) and the Examiner has failed to

show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 6.

With respect to claim 7, as particularly crafted by Applicant – First, as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “wherein communication with the specific service provider further comprises receiving from the specific service provider an aggregation of choices for the device” as Applicant has claimed because Anderson clearly shows after user intervention before receiving from the ISP (col 10, lines 54-63) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 7 and claims dependent on claim 7.

With respect to claim 8, as particularly crafted by Applicant – First, as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “wherein communication with the specific service provider further comprises receiving from the specific service provider an aggregation of choices for the device” and “wherein the choices are displayed on the device and a user may select a specific choice” as Applicant has claimed because

Anderson clearly shows after user intervention before receiving from the ISP choices (col 10, lines 54-63) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 8 and claims dependent on claim 8.

With respect to claim 9, as particularly crafted by Applicant – First, as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “wherein communication with the specific service provider further comprises receiving from the specific service provider an aggregation of choices for the device” and “wherein the choices are displayed on the device and a user may select a specific choice” and “wherein the choices are account choices” as Applicant has claimed because Anderson clearly shows after user intervention before receiving from the ISP choices which are limited to a default action list (col 10, lines 54-63) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 9.

Claim 13 Rejection under 35 U.S.C. § 103(a) – Anderson in view of OOOSITAATTIWM

Neither Anderson nor OOOSITAATTIWM, either taken alone or in combination, teaches or suggests managing a relationship between a device and a service provider “initially receiving at a service aggregator connected to a network first information from the

device when the device is connected to the network, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first information; secondly transmitting a second information from the service aggregator to the device directing the device to communicate with the specific service provider, the second information being based on the first information received from the device, wherein the first information is sent automatically from the device to the service aggregator; determining a new connection event from the device; and sending a new connection message to the device upon said determining said new connection event from said device; determining and optionally updating the device upon said sending said new connection message to the device; sending messages to the device upon said determining and optionally updating the device; receiving user input from the device upon said sending messages to the device; and configuring the device upon said receiving user input from the device" as Applicant has claimed because Anderson clearly shows user initial intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 13 and all claims dependent on claim 13.

With respect to claim 14, as particularly crafted by Applicant – First, as explained above under Claim 13 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest "updating the device comprises updating the

device's memory" as Applicant has claimed because Anderson requires initial user intervention information and an account before any updates (col 10, lines 37-40) to the device and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 14.

With respect to claim 15, as particularly crafted by Applicant – First, as explained above under Claim 13 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest "wherein configuring the device further comprises: determining a service provider; and transferring to the device communication information about the service provider" as Applicant has claimed because Anderson requires initial user intervention information and an account before any updates (col 10, lines 37-40) and further communication to the device and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 15 and claims dependent on claim 15.

With respect to claim 16, as particularly crafted by Applicant – First, as explained above under Claim 13 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest "wherein configuring the device further

comprises: determining a service provider; and transferring to the device communication information about the service provider" and "wherein transferring to the device communication information about the service provider further comprises instructing the device to establish a connection with the service provider" as Applicant has claimed because Anderson requires initial user intervention information and an account before any updates (col 10, lines 37-40) and further communication to the device and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 16.

Claim 17 Rejection under 35 U.S.C. § 103(a) – Anderson in view of OOOSITAATTIWM

Neither Anderson nor OOOSITAATTIWM, either taken alone or in combination, teaches or suggests a machine-readable medium having stored thereon instructions, which when executed by a processor, causes said processor to perform the following "receiving initially a first communication sent automatically from a device when connected to a network at a service aggregator, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first communication; transmitting a second communication from the service aggregator to the device directing the device to communicate with the specific service provider, the second communication being based on the first communication sent automatically from the device to the service aggregator; determining at the service aggregator from the first

communication if the device has access rights to a service provider; and carrying out the transmitting only if the device has access rights to the specific service provider” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and unconditional connection to the ISP (Fig. 4B at 126) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 17 and all claims dependent on claim 17.

Claim 19 Rejection under 35 U.S.C. § 103(a) – Anderson in view of OOOSITAATTIWM

Neither Anderson nor OOOSITAATTIWM, either taken alone or in combination, teaches or suggests a system comprising “a plurality of service providers in communication with a network; a plurality of devices sending communications automatically with information about themselves when connected to the network; and a relationship manager for associating the plurality of devices when connected to the network with the plurality of service providers.” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 19 and all claims dependent on claim 19.

With respect to claim 20, as particularly crafted by Applicant – First, as explained

above under Claim 19 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “associating a specific device with a specific service provider is based upon attributes from a specific device” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 20.

With respect to claim 21, as particularly crafted by Applicant – First, as explained above under Claim 19 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “wherein the plurality of service providers further comprises a single service aggregator” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 21 and claims dependent on claim 21.

With respect to claim 22, as particularly crafted by Applicant – First, as explained above under Claim 19 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of

OOOSITAATTIWM fails to teach or suggest “wherein the single service aggregator associates the plurality of devices with the plurality of service providers” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 22.

Claim 23 Rejection under 35 U.S.C. § 103(a) – Anderson in view of OOOSITAATTIWM

Neither Anderson nor OOOSITAATTIWM, either taken alone or in combination, teaches or suggests an apparatus for relationship management comprising “a relationship management server connected to a network; a plurality of devices which when connected to the network automatically send information; a plurality of service providers connected to the network; a communication means for exchanging information between the plurality of devices and the relationship manager; and a communication means for exchanging information between the plurality of devices and the plurality of service providers” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 23 and claims dependent on claim 23.

With respect to claim 24, as particularly crafted by Applicant – First, as explained above under Claim 23 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “wherein the exchanged information from the relationship manager to the plurality of devices further directs the plurality of devices to communicate with the plurality of service providers” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and setting of a user account (Fig. 4B at 122) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 24.

Claim 25 Rejection under 35 U.S.C. § 103(a) – Anderson in view of OOOSITAATTIWM

Neither Anderson nor OOOSITAATTIWM, either taken alone or in combination, teaches or suggests an apparatus comprising “means for receiving at a service aggregator information automatically sent from a device; and means for transmitting information from the service aggregator to the device informing the device how to communicate with a service provider” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 25 and claims dependent on claim 25.

With respect to claim 26, as particularly crafted by Applicant – First, as explained above under Claim 25 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “wherein means for receiving information and means for transmitting information are done via a network” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and setting of a user account (Fig. 4B at 122) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 26.

Claim 27 Rejection under 35 U.S.C. § 103(a) – Anderson in view of OOOSITAATTIWM

Neither Anderson nor OOOSITAATTIWM, either taken alone or in combination, teaches or suggests a method of relationship management comprising “receiving information from a device automatically when the device is connected to a network; determining if the device has access rights to a service provider after said receiving information from said device; and if the device has access rights to the service provider, sending information to the device on how to contact the service provider” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 27 and claims dependent on claim 27.

With respect to claim 28, as particularly crafted by Applicant – First, as explained above under Claim 27 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Additionally, Anderson in view of OOOSITAATTIWM fails to teach or suggest “wherein said sending information to the device comprises sending an address of the service provider” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and setting of a user account (Fig. 4B at 122) and the Examiner has failed to show any teachings of OOOSITAATTIWM and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 28.

Claim 3 Rejection under 35 U.S.C. § 103(a) – Anderson in view of Morris

Claim 3, as particularly crafted by Applicant, is dependent on claim 1 and as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Nor does the addition of Morris either taken alone or in combination, teaches or suggests “receiving at a service aggregator a first information from the device, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first information; and transmitting a second information from the service aggregator to the device directing the device to communicate with the specific service provider, the second information being based on the first information received from the device, wherein the first information is sent automatically from the device to the service aggregator” as Applicant has claimed because

Anderson clearly shows user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Morris and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 3.

Additionally, Anderson in view of Morris fails to teach or suggest “the service aggregator communicating update information to the device” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP sending information (Fig. 4B at 122) and Morris clearly shows a client interaction (col 14, lines 27-30) and the Examiner has failed to show any teachings how a client request from Morris can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 28.

Finally, the Examiner previously in essence claimed that anything could be an aggregator but now admits that Anderson does not disclose a service aggregator, thus agreeing with Applicant’s arguments that a service provider and service aggregator are different.

Claim 5 Rejection under 35 U.S.C. § 103(a) – Anderson in view of Mighdoll

Claim 5, as particularly crafted by Applicant, is dependent on claim 1 and as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Nor does the addition of Mighdoll either taken alone or in combination, teaches or suggests “receiving at a service aggregator a first

information from the device, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first information; and transmitting a second information from the service aggregator to the device directing the device to communicate with the specific service provider, the second information being based on the first information received from the device, wherein the first information is sent automatically from the device to the service aggregator" as Applicant has claimed because Anderson clearly shows user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Mighdoll and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 3.

Additionally, Anderson in view of Mighdoll fails to teach or suggest "the specific service provider communicating update information to the device" as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP sending information (Fig. 4B at 122) and Mighdoll clearly shows notification (col 16, lines 38-56) which is not updating and the Examiner has failed to show any teachings how a notification from Mighdoll can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 5.

Claims 10-12 Rejection under 35 U.S.C. § 103(a) – Anderson in view of Cook

Claim 10, as particularly crafted by Applicant, is dependent on claim 1 and as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to

teach or suggest what Applicant has claimed. Nor does the addition of Cook either taken alone or in combination, teaches or suggests “receiving at a service aggregator a first information from the device, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first information; and transmitting a second information from the service aggregator to the device directing the device to communicate with the specific service provider, the second information being based on the first information received from the device, wherein the first information is sent automatically from the device to the service aggregator” as Applicant has claimed because Anderson clearly shows user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Cook and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 10.

Additionally, Anderson in view of Cook fails to teach or suggest “wherein the first information received at the service aggregator is selected from the group consisting of device attribute information, branding information, account information, device serial number information, type of device information, application information, and last time used information” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and Cook clearly shows notification (col 16, lines 38-56) and the Examiner has failed to show any teachings how a notification from Cook can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 10

As noted the Examiner admits that Anderson does not disclose a service aggregator nor does Cook, nor does Anderson in view of Cook disclose or suggest “first information received at the service aggregator is ... last time used information” as Applicant has claimed.

Applicant requests allowance of claim 10.

With respect to claim 11, as particularly crafted by Applicant, which is dependent on claim 1 and as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Nor does the addition of Cook either taken alone or in combination, teaches or suggests “receiving at a service aggregator a first information from the device, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first information; and transmitting a second information from the service aggregator to the device directing the device to communicate with the specific service provider, the second information being based on the first information received from the device, wherein the first information is sent automatically from the device to the service aggregator” as Applicant has claimed because Anderson clearly shows user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Cook and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 11.

Additionally, Anderson in view of Cook fails to teach or suggest “wherein the first information received at the service aggregator is selected from the group consisting of device attribute information, branding information, account information, device serial number information, type of device information, application information, and last time used information” and “wherein the branding information is hard coded in the device” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and Cook clearly shows notification (col 16, lines 38-56) and the Examiner has failed to show any teachings how a notification from Cook can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 11.

With respect to claim 12, as particularly crafted by Applicant, which is dependent on claim 1 and as explained above under Claim 1 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Nor does the addition of Cook either taken alone or in combination, teaches or suggests “receiving at a service aggregator a first information from the device, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first information; and transmitting a second information from the service aggregator to the device directing the device to communicate with the specific service provider, the second information being based on the first information received from the device, wherein the first information is sent automatically from the device to the service

aggregator" as Applicant has claimed because Anderson clearly shows user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Cook and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 12.

Additionally, Anderson in view of Cook fails to teach or suggest "wherein the first information received at the service aggregator is selected from the group consisting of device attribute information, branding information, account information, device serial number information, type of device information, application information, and last time used information" and "wherein the account information is input by a user" as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and a combination not an input (col 7, lines 13-20) and Cook clearly shows notification (col 16, lines 38-56) and the Examiner has failed to show any teachings how a notification from Cook can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 12.

Claim 18 Rejection under 35 U.S.C. § 103(a) – Anderson in view of Cook

Claim 18, as particularly crafted by Applicant, is dependent on claim 17 and as explained above under Claim 17 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Nor does the addition of Cook either taken alone or in combination, teaches or suggests a machine-readable medium having stored thereon instructions, which when executed by a processor, causes said processor to perform the following "receiving initially a first communication sent automatically from a

device when connected to a network at a service aggregator, the service aggregator having information about one or more service providers and the service aggregator configured to select a specific service provider from the one or more service providers for the device based on the first communication; transmitting a second communication from the service aggregator to the device directing the device to communicate with the specific service provider, the second communication being based on the first communication sent automatically from the device to the service aggregator; determining at the service aggregator from the first communication if the device has access rights to a service provider; and carrying out the transmitting only if the device has access rights to the specific service provider" as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and unconditional connection to the ISP (Fig. 4B at 126) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Cook and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 18.

Additionally, Anderson in view of Cook fails to teach or suggest "wherein the information received at the service aggregator is selected from the group consisting of device attribute information, branding information, account information, device serial number information, type of device information, application information, and last time used information" as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and Cook clearly shows notification (col 16, lines 38-56) and the Examiner has failed to show any teachings how a notification from Cook can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 18.

Claims 29-30 Rejection under 35 U.S.C. § 103(a) – Anderson in view of Cook

Claim 29, as particularly crafted by Applicant, is dependent on claim 27 and as explained above under Claim 27 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Nor does the addition of Cook either taken alone or in combination, teaches or suggests a method of relationship management comprising “receiving information from a device automatically when the device is connected to a network; determining if the device has access rights to a service provider after said receiving information from said device; and if the device has access rights to the service provider, sending information to the device on how to contact the service provider” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Cook and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 29.

Additionally, Anderson in view of Cook fails to teach or suggest “wherein said determining if the device has access rights to the service provider further comprises determining a sufficiency of a payment from a payor” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and Cook clearly shows notification (col 21, lines 11-29) and the Examiner has failed to show any teachings how a notification from Cook can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 29.

Claim 30, as particularly crafted by Applicant, is dependent on claim 27 and as

explained above under Claim 27 Rejection, Anderson in view of OOOSITAATTIWM fails to teach or suggest what Applicant has claimed. Nor does the addition of Cook either taken alone or in combination, teaches or suggests a method of relationship management comprising “receiving information from a device automatically when the device is connected to a network; determining if the device has access rights to a service provider after said receiving information from said device; and if the device has access rights to the service provider, sending information to the device on how to contact the service provider” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and the Examiner has failed to show any teachings of OOOSITAATTIWM or Cook and how they would be combined without destroying Anderson to achieve what Applicant has claimed. Applicant therefore requests allowance of claim 30.

Additionally, Anderson in view of Cook fails to teach or suggest “wherein said determining if the device has access rights to the service provider further comprises determining a sufficiency of a payment from a payor” and “wherein the payor is selected from the group consisting of a subscriber, a non-subscriber, a sponsor, and an advertiser” as Applicant has claimed because Anderson clearly shows initial user intervention (Fig. 4A at 106) and an ISP and Cook clearly shows access control (col 4, lines 10-24) not sufficiency of payment and the Examiner has failed to show any teachings how access control from Cook can be combined without destroying Anderson to achieve what Applicant has claimed. Applicant requests allowance of claim 30.

CONCLUSION

Applicant submits that the rejection of dependent claims not specifically addressed, are addressed by Applicant's arguments to the claim(s) on which they depend.

Applicant respectfully submits that all claims are in condition for allowance and requests such.

Communication via cleartext email is authorized.

Respectfully submitted,

Heimlich Law

03/19/2009 /ip/48808Alan Heimlich

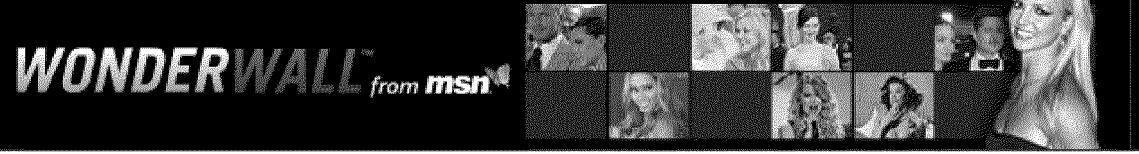
Date Alan Heimlich / Reg 48808

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provider

  provider

pro·vi·der [prə vīdər] (*plural* pro·vi·ders)

noun

Definition:

1. supplier of service: an organization or company that provides access to a service or system such as a cellular phone, cable, or computer network

- *an Internet provider*
- *a provider*

2. supplier of support: somebody who provides material support for somebody or something, especially a family



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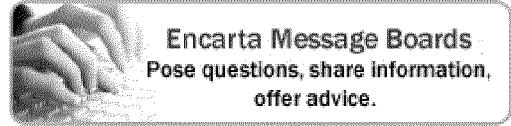
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aggregator

aggravated
aggravation
aggregate
aggregate demand
aggregate expenditures schedule
aggregate income
aggregate output
aggregate supply

► **aggregator**

aggress
aggression
aggressive
aggressive growth fund
aggressor
aggrieve
aggro
aggrupation

ag·gre·ga·tor [*ágrē gāytēr*] (*plural*
ag·gre·ga·tors)

noun

Definition:

1. somebody or something bringing others together: a person, organization, or thing that brings different things or people together, into a total, mass, or whole

2. BUSINESS organization that gathers customers: an organization that unites customers into a buying group to obtain better prices



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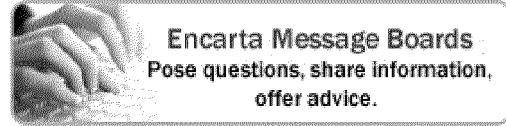
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